THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 12351 of 2007

Dated: 14.06.2007

Between:

Kashappa.

.... PETITIONER

AND

The APSRTC, rep. by Vice Chairman & Managing Director, Musheerabad, Hydeabad and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 12351 of 2007

ORDER:

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent-APSRTC.

2. The petitioner, while working as Conductor in the respondent-APSRTC, was removed from service on the allegation of cash and ticket irregularities. Aggrieved by the same, he raised I.D.No.69 of 2002, and the same was partly allowed on 17.06.2003 setting aside the order of removal dated 11.08.1975, and directed the respondent-APSRTC to reinstate the petitioner into service without backwages, and to fix his pay on reinstatement in the present scale of pay taking into consideration of his length of service and pay scale from the date of his joining till the date of his termination, and the petitioner is entitled for continuity of service for all purposes except annual grade increments. Pursuant to the said direction, the respondent-APSRTC reinstated him into service and posted to Tandur Depot. His grievance is that as per the Circular dated 03.05.1989, though he is entitled to stagnation/special grade increments in the year 1989 and 2001 immediately after completion of 12 years of service from the date of his initial appointment, the respondent-APSRTC is not

sanctioning the increment. So, he made representation dated 16.05.2006 to the 2nd respondent seeking for sanction of special grade increment by counting the continuity of service in the light of the judgment of this Court in MD. RAHAMATULLAH v. DEPOT MANAGER, APSRTC[1], but no orders thereon have been passed. Hence, he filed the present writ petition.

3. Since the representation dated 16.05.2006 of the petitioner seeking for sanction of special grade increments, is said to be pending consideration before the 2nd respondent, instead of keeping the writ petition pending, I deem it appropriate to dispose of the same with the following direction.

The 2nd respondent is directed to consider the representation dated16.05.2006 of the petitioner and pass appropriate orders in the light of the judgment cited supra.

The Writ Petition is accordingly disposed of. No costs.

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N.V. RAMANA, J.

Date:14.06.2007.

sj

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[1] 1999 LAB.IC.2946